



March 23, 2005

ENGROSSED SENATE BILL No. 352

DIGEST OF SB 352 (Updated March 22, 2005 10:42 am - DI 103)

Citations Affected: IC 36-7.

Synopsis: Unsafe premises. Provides that for purposes of the unsafe building law, a tract of real property that does not contain a building or structure, not including land used for production agriculture, is an unsafe premises if the tract is a fire hazard, a hazard to public health, a public nuisance, or dangerous to a person or property.

Effective: July 1, 2005.

Broden, Young R Michael

(HOUSE SPONSORS — BECKER, DVORAK)

January 11, 2005, read first time and referred to Committee on Governmental Affairs and Interstate Cooperation.

February 3, 2005, amended, reported favorably — Do Pass.

February 7, 2005, read second time, ordered engrossed.

February 8, 2005, engrossed. Read third time, passed. Yeas 49, nays 1.

HOUSE ACTION

March 8, 2005, read first time and referred to Committee on Public Safety and Homeland Security.

March 22, 2005, reported — Do Pass.

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ES 352—LS 7094/DI 73+



March 23, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 352

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 36-7-9-4 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2005]: Sec. 4. (a) For purposes of this chapter,
3 a building or structure, or any part of a building or structure, that is:
4 (1) in an impaired structural condition that makes it unsafe to a
5 person or property;
6 (2) a fire hazard;
7 (3) a hazard to the public health;
8 (4) a public nuisance;
9 (5) dangerous to a person or property because of a violation of a
10 statute or ordinance concerning building condition or
11 maintenance; or
12 (6) vacant and not maintained in a manner that would allow
13 human habitation, occupancy, or use under the requirements of a
14 statute or an ordinance;
15 is considered an unsafe building.
16 (b) For purposes of this chapter:
17 (1) an unsafe building; and

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- 1 (2) the tract of real property on which the unsafe building is
2 located;
3 are considered unsafe premises.
4 **(c) For purposes of this chapter, a tract of real property that**
5 **does not contain a building or structure, not including land used**
6 **for production agriculture, is considered an unsafe premises if the**
7 **tract of real property is:**
8 **(1) a fire hazard;**
9 **(2) a hazard to public health;**
10 **(3) a public nuisance; or**
11 **(4) dangerous to a person or property because of a violation**
12 **of a statute or an ordinance.**

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SENATE MOTION

Madam President: I move that Senator Young R Michael be added
as second author of Senate Bill 352.

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COMMITTEE REPORT

Madam President: The Senate Committee on Governmental Affairs and Interstate Cooperation, to which was referred Senate Bill No. 352, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 5, delete "structure" and insert "**structure, not including land used for production agriculture,**".

and when so amended that said bill do pass.

(Reference is to SB 352 as introduced.

RIEGSECKER, Chairperson

Committee Vote: Yeas 9, Nays 0.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Safety and Homeland Security, to which was referred Senate Bill 352, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

RUPPEL, Chair

Committee Vote: yeas 7, nays 0.

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